

**AMENDMENTS TO THE CLAIMS**

The below listing of claims replaces all prior listing and all prior versions of the claims in the application.

**Listing of Claims:**

1. (Previously Presented) A digital broadcast receiving apparatus for selectively receiving a desired channel based on a user instruction from a plurality of channels included in airwaves, comprising:

a first tuning unit for extracting from said airwaves first image coded data that corresponds to said desired channel;

a second tuning unit for successively selecting one of said plurality of channels as a background channel and extracting from said airwaves second image coded data that corresponds to said background channel;

a data storage unit for storing said second image coded data that correspond to the respective ones of said plurality of channels;

a first image data decoding unit for receiving and decoding one of said first image coded data and said second image coded data to generate an image signal for image display; and

a control unit for determining whether it is possible or impossible to generate said image signal in accordance with said first image coded data based on a determination as to whether an amount of said first image coded data extracted by said first tuning unit has reached a certain amount that allows a normal reproduction; wherein

said first image data decoding unit receives and decodes said second image coded data from said data storage unit to generate said image signal for image display when said image display based on said first image coded data is impossible in accordance with the determination of said control unit.

2. (Original) The digital broadcast receiving apparatus according to claim 1, further comprising:

a first data selecting unit for receiving said first image coded data from said first tuning unit and said second image coded data from said data storage unit corresponding to said desired channel and selectively outputting one of said first image coded data and said second image coded data according to the determination of said control unit, wherein

said first image data decoding unit decodes an output from said first data selecting unit to generate an image signal.

3. (Cancelled)

4. (Currently Amended) The digital broadcast receiving apparatus according to claim 3, wherein

when switching of said desired channel by a user is detected, said control unit sets an output from said first data selecting unit to said second image coded data until generation of said image signal based on said first image coded data in said first image data decoding unit becomes

possible, and from a time when the generation of said image signal becomes possible, switches the output from said first data selecting unit, from said first image coded data to said second image coded data.

5. (Withdrawn) The digital broadcast receiving apparatus according to claim 1, further comprising:

a second image data decoding unit for decoding said second image coded data extracted by said second tuning unit; and

an image data coding unit for recoding said second image coded data decoded by said second image data decoding unit, wherein

said data storage unit stores said second image coded data recoded by said image data coding unit, and

the recoded second image coded data has a smaller amount of data than said second image coded data extracted by said second tuning unit.

6. (Withdrawn) The digital broadcast receiving apparatus according to claim 5, wherein said image data coding unit executes said recoding based on a second resolution that is lower than a first resolution that corresponds to said first image coded data.

7. (Withdrawn) The digital broadcast receiving apparatus according to claim 3, further comprising:

a data buffer unit for temporarily accumulating said image signal output from said first image data decoding unit;

an image data coding unit for recoding said image signal;

a first data selecting unit for selectively outputting said image signal output by said first image data decoding unit to one of said data buffer unit and said image data coding unit according to the determination of said control unit; and

a second data selecting unit for receiving said first image coded data from said first tuning unit and said second image coded data from said data storage unit corresponding to said desired channel, and said second image coded data from said second tuning unit corresponding to said background channel, and for outputting to said first image data decoding unit one of said first image coded data, said second image coded data from said data storage unit, and said second image coded data from said second tuning unit according to the determination of said control unit, wherein

said data storage unit stores said image signal recoded by said image data coding unit as said second image coded data, and

said recoded second image coded data has a smaller amount of data than said second image coded data extracted by said second tuning unit.

8. (Withdrawn) The digital broadcast receiving apparatus according to claim 7, wherein said image data coding unit executes said recoding based on a second resolution that is lower than a first resolution that corresponds to said first image coded data.

9. (Original) The digital broadcast receiving apparatus according to claim 1, wherein said control unit successively updates selection of said background channel in a constant cycle.

10. (Withdrawn) A digital broadcast receiving apparatus for selectively receiving a desired channel based on a user instruction from a plurality of channels included in airwaves, comprising:

a tuning unit for extracting from said airwaves first image coded data that corresponds to said desired channel;

a data storage unit for storing second image coded data for displaying a prescribed picture;

a control unit for determining whether it is possible or impossible to generate an image signal based on said first image coded data; and

an image data decoding unit for decoding said second image coded data from said data storage unit to generate an image signal for image display when said image display based on said first image coded data is impossible in accordance with the determination of said control unit.

11. (Withdrawn) The digital broadcast receiving apparatus according to claim 10, further comprising:

a data selecting unit for receiving said first image coded data from said tuning unit and said second image coded data from said data storage unit corresponding to said desired channel

and selectively outputting one of said first image coded data and said second image coded data according to the determination of said control unit, wherein

said image data decoding unit decodes an output from said data selecting unit to generate an image signal.

12. (Withdrawn) The digital broadcast receiving apparatus according to claim 11, wherein said control unit instructs to switch the output from said data selecting unit from said first image coded data to said second image coded data according to receiving condition of said airwaves in said tuning unit.

13. (Withdrawn) The digital broadcast receiving apparatus according to claim 10, wherein said data storage unit stores said second image coded data before shipment of said digital broadcast receiving apparatus.

14. (Withdrawn) The digital broadcast receiving apparatus according to claim 10, further comprising:

a timing unit for detecting at least one of current date and current time, wherein said data storage unit stores a plurality of said second image coded data, and said control unit selectively outputs one of said plurality of said second image coded data according to said detection by said timing unit.

15. (Withdrawn) The digital broadcast receiving apparatus according to claim 10, wherein said data storage unit stores a plurality of said second image coded data respectively corresponding to said plurality of channels and outputs one of said plurality of said second image coded data that corresponds to said desired channel.

16. (Withdrawn) The digital broadcast receiving apparatus according to claim 15, wherein said plurality of said second image coded data include text information that is multiplexed with image information and transmitted in said airwaves.

17. (Withdrawn) The digital broadcast receiving apparatus according to claim 10, further comprising:

an image data coding unit for recoding said image signal corresponding to a picture selected by a user, wherein  
said data storage unit stores the image signal recoded by said image data coding unit as said second image coded data.

18. (Previously Presented) The digital broadcast receiving apparatus according to claim 1, wherein

said first image data decoding unit monitors the generation status of said first image coded data by said first tuning unit; and

said control unit receives information indicating whether said amount of said first image coded data extracted by said first tuning unit has reached said certain amount, from said first image decoding unit.